



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

March 12, 2021

By ECF

Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *United States v. Caputo, et al.*, S1 20 Cr. 645 (PAE)

Dear Judge Engelmayer:

The Government writes to respectfully request a limited two-week extension of the discovery deadline to allow for the technical process of copying and producing several email accounts that are not yet in the Government's possession, but which the Government has requested on an expedited basis and expects to produce to the defendants as expeditiously as possible, and no later than two weeks from today. The Government has asked the applicable defense counsel for their position on this request. The counsel who have responded—representing Caputo, Balestra and Pizzonia—consent to this request.

At the February 10, 2021 conference, the Court ordered that the Government's discovery production be substantially completed by today. The Government expects to substantially complete its production of the Rule 16 discovery materials currently in its possession today. However, the undersigned counsel learned today for the first time that the Metropolitan Transportation Authority's Office of the Inspector General ("MTA-OIG") had obtained copies of several MTA email accounts, including those of several of the defendants. Although the Government has not yet obtained or reviewed these accounts, the Government understands that they consist of approximately 50-60 gigabytes of material, has requested them on an expedited basis, and presently expects to produce them to the defense forthwith in their entirety.

The Government estimates that a two-week period will be sufficient to allow the technical copying and production of these accounts, and thus respectfully requests that its deadline to complete discovery be extended by two weeks, or until March 26, 2021. The parties' next scheduled appearance before the Court is on April 21, 2021. No previous requests for the requested relief have been made.

We thank you for your consideration of this request.

Respectfully submitted,

AUDREY STRAUSS
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Southern District of New York

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cc: Counsel of Record

GRANTED. The Clerk of Court is requested to terminate
the motion at Dkt. No. 47.

3/15/2021

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge